

# Akin Gump

STRAUSS HAUER & FELD LLP

KATHERINE M. KATCHEN

+1 215.965.1239/fax: +1 215.965.1210  
kkatchen@akingump.com

May 28, 2019

**VIA ECF**

The Honorable Vernon S. Broderick  
United States District Court  
Southern District of New York  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

Re: MDL 1358 / MTBE, *New Jersey Department of Environmental Protection, et al.*  
*v. Atlantic Richfield Co., et al.*, No. 1:08-cv-00312-VSB

Dear Judge Broderick,

As the parties recently advised the Honorable Freda L. Wolfson of the United States District Court for the District of New Jersey, Plaintiffs and Defendants Getty Petroleum Marketing, Inc., Lukoil Americas Corporation, Lukoil North America, LLC, Lukoil Pan Americas, LLC, and PJSC Lukoil, and their related entities, have reached a tentative settlement in the New Jersey MTBE litigation. The settlement is subject to, among other things, the parties agreeing on the language of the proposed Judicial Consent Order, the statutory notice and public comment process, and final approval by the Attorney General and the Commissioner of the New Jersey Department of Environmental Protection. The settlement discussions are ongoing and the parties require additional time to finalize a settlement.

In light of the tentative settlement, the foregoing parties jointly and respectfully request an extension of time through July 29, 2019, in which to answer, move or otherwise respond to the Fifth Amended Complaint.

The Parties have signed the enclosed stipulation, and we respectfully request your signature on the enclosed "Stipulation and [Proposed] Order."

Sincerely,

  
Katherine M. Katchen

Enclosure

cc: All counsel of Record (via LNFS)